

REMARKS

Claim 18 has been canceled, and claims 19-22 have been amended in view of the cancellation of claim 18. Claim 41 has been placed in independent form.

Entry of the above amendment is respectfully requested.

Information Disclosure Statement

Applicants note that an Information Disclosure Statement is being submitted herewith. Applicants respectfully request that the Examiner consider the disclosed information and return an initialed PTO/SB/08 form with the next communication from the PTO.

Anticipation Rejection

On page 2 of the Office Action, claims 3-10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Beilstein (1988-2001 Beilstein Institut, cited in IDS) or Takao et al (US 6139927) herein Takao.

Applicants submit that the present claims are not anticipated by the cited art, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Novelty of claim 3 over Beilstein (1988-2001, Beilstein Institut)

In Beilstein, a diamine is disclosed wherein groups corresponding to A1 and A2 of present formula (I) are a carbonic acid, acetyl radicals, an amide, a nitrile, carbonic acid ester.

This is in contrast to the compound of formula (I) of the present invention, wherein A1 and A2 are defined in the proviso of claim 3 to be an alkyl of at least 5 carbon atoms if n1, n2 and n3 are zero:

(claim 3) "...with the proviso that if $n_1 = n_2 = n_3 = 0$ then **D is a straight-chain or branched alkyl residue** which is unsubstituted, mono-substituted by cyano or fluorine, chlorine, or poly-substituted by fluorine, chlorine, having 5 to 24 carbon atoms ..."

Hence, claim 3 and all claims dependent on claim 3 are novel.

Novelty of claim 3 over Takao et al, US 6139927

The compound shown by Takao in example 20 and also illustrated in the outstanding Office Action is different from that of the present invention of formula (I). The substituents A1 and A2 in example 20 of Takao are methyl groups, whereas A1 and A2 of the present invention are an alkyl chain with at least 5 carbon atoms (see above the citation of claim 3 of the present invention).

Therefore, the present invention claim 3 and its dependent claims are novel over Takao et al.

Thus, Applicants submit that the present invention is not anticipated by the cited art, and withdrawal of this rejection is respectfully requested.

Allowable Subject Matter

On page 4 of the Office Action, the Examiner has objected to claims 11, 14-17 and 19-41 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claims 11, 14-17 and 19-41 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above amendment and remarks, Applicants submit that

the objection is overcome, and thus allowance of all of the pending claims is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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